



News Release

IDAHO DEPARTMENT OF WATER RESOURCES

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IDWR Director Orders the Curtailment of Water Rights in the Thousand Springs Area

Idaho Department of Water Resources Director David Tuthill today issued orders curtailing the junior water rights of ground water users in the Thousand Springs area of south-central Idaho. The curtailment comes in response to water delivery calls made in 2005 by senior water right holders Blue Lakes Trout Farm and Clear Springs Foods' Snake River Farm. The curtailment will take effect on July 6, 2007, unless sufficient mitigation is provided.

The delivery calls and subsequent curtailment were issued under the department's Rules for Conjunctive Management of Surface and Ground Water Sources. The curtailment order affects certain ground water users with junior water rights in portions of Blaine, Butte, Gooding, Jerome, Lincoln and Minidoka counties.

Water calls and curtailment orders are necessary to satisfy the director's duty under Idaho law to administer water rights in accordance with the Idaho Constitution and statutes in times of shortage.

"Curtailment is a last resort, but we are obligated under Idaho law to follow through with enforcement when mitigation is not provided. We are more interested in water solutions than water confrontations. Unfortunately, the parties involved so far have not presented an acceptable solution to get through 2007, so I have no choice but to issue these curtailment orders," Tuthill said.

The curtailment orders affect ground water rights bearing priority dates junior to December 9, 1990 for the Blue Lakes call and junior to February 13, 1977 for the Clear Springs call. This includes approximately 591 ground water rights for approximately 16,638 acres of irrigation, and commercial, industrial, municipal, non-exempt domestic and stockwater and other consumptive uses. Non-consumptive and culinary in-house uses of water will not be subject to curtailment under the orders. Junior water rights holders who have submitted mitigation plans acceptable to the department will not be curtailed. Junior water rights holders who have previously enrolled in the Conservation Reserve Enhancement Program (CREP) are also exempt from the order.

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Tuthill sent warning letters on April 30th to the holders of 771 water rights that potentially could be curtailed under these calls during 2007. But 5th District Judge John K. Butler blocked the curtailment at the request of the Idaho Ground Water Appropriators Inc. The case later was reassigned to Judge John Melanson, who dismissed the suit allowing the curtailment process to proceed. An emergency status conference was then held at IDWR headquarters on June 8th where no resolution was reached. The number of water rights and the acres curtailed have been reduced since April 30th by mitigation plans that have been submitted.

A water call is made when the holder of a senior water right experiences a shortfall in water they are beneficially using and are entitled to receive. The call is made on the water source. Under the conjunctive management rules, the Department will then require the holders of junior water rights to either mitigate the effects of their diversions or stop diverting water in order to satisfy the senior right.

Information on the curtailment orders can be found on the Idaho Department of Water Resources' web site at www.idwr.idaho.gov under the headings "Major Issues" and "What's New." The web site features maps of the affected areas, copies of the letters issued to water rights holders, legal documents, and related links.

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